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SERIES III No. 2

# OFFICIAL GAZETTE



# GOVERNMENT OF GOA

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## EXTRAORDINARY

### GOVERNMENT OF GOA

Department of Home

Home—General Division

Office of the District Magistrate, North Goa

#### Order

No. 40/01/2019-MAG/LS/L&amp;O/360

#### Under Section 144 of Criminal Procedure Code, 1973

Whereas, the General Election to Lok Sabha-2019 for 01-North Goa Parliamentary Constituency is scheduled to be held on 23-04-2019 for the Assembly Constituencies in the State of Goa and the Model Code of Conduct is already in force with effect from 10-03-2019. The Election Commission of India, New Delhi has issued directions to ensure free, fair and peaceful Elections;

And whereas, there is possibility of political disputes, confrontation, violence and breach of peace on the eve of the poll mainly due to misuse of hotels, restaurants, tea shops, pan shops and other food shops/joints (dhabas, gaddas) etc., while carrying out door to door campaigning and due to gathering of crowd at places within the vicinity of 200 meters of the polling stations, which creates nuisance and law and order problems.

And whereas, Sections 171-B and 171-C of the Indian Penal Code (IPC) clearly disallow attempts of bribery and undue influence on any person or voter and whoever commits offence of bribery is punishable under Section 171-E of IPC and whoever

commits the offence of undue influence or impersonation at an election is punishable under Section 171-F of IPC.

And whereas, I am satisfied that the circumstances do not permit the serving, in due time, of the notices individually upon the persons against whom this order is directed and therefore, under the powers vested in me under sub-section (2) of Section 144 of the Code of Criminal Procedure, 1973, I hereby pass the order ex-parte.

Now therefore, I, R. Menaka, IAS, District Magistrate, North Goa District, in exercise of the powers vested in me under sub-section (1) of Section 144 of Code of Criminal Procedure, 1973 hereby issue following Prohibitory orders valid from 06.00 a.m. to 07.00 p.m. on the day of poll on 23-04-2019;

1. That all restaurants, bars, eateries, tea shops, pan shops and other food joints, gaddas etc. situated in urban areas of Municipal jurisdiction within 100 mtrs. of the polling station shall remain closed at aforesaid date and time.
2. That all restaurants, bars, tea shops, pan shops, eateries and other food shops/joints (dhabas, gaddas) etc., situated in rural areas of Village Panchayat jurisdiction within 200 mtrs. of the polling station shall remain closed at aforesaid date and time.
3. Ban any gathering or crowd comprising of more than 5 persons within 200 meters of any polling stations in the entire North Goa District.

I further direct that the above restrictions shall not apply to public servants on duty and to

bonafide marriage or funeral processions or religious processions/functions.

Failure to comply with this order shall be liable for penal action under Section 188 of Indian Penal Code and other relevant provisions of laws in force.

Given under my hand and seal of this office, on this 17th day of April, 2019.

R. Menaka, IAS,  
District Magistrate & DEO,  
North Goa District.



Office of the District Magistrate & District Election  
Officer, South Goa

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**Order**

No. 37/13/LS-2019/ELN/MAG/4886

**Under Section 144 of Criminal Procedure  
Code, 1973**

Whereas, the General Election to Lok Sabha 2019 for 02-South Goa Parliamentary Constituency and Bye-Election to 22-Shiroda Assembly Constituency is scheduled to be held on 23-04-2019;

And whereas, it is essential to conduct the General Election and Bye-Election in free and fair manner and to maintain public peace, order and tranquility as per provisions of Law and Model Code of Conduct as applicable with effect from 10-03-2019;

And whereas, there is possibility of political disputes, confrontation, violence and breach of peace on the eve of the Poll day mainly due to misuse of hotels, restaurants, tea shops, pan shops and other food shops/joints (dhabas, gaddas) etc., while carrying out door to door campaigning or intimidations of voters or influencing voters and due to gathering of any crowd at such places within the vicinity of 200 meters of the polling stations, which creates nuisance and law and order problems;

And whereas, Sections 171-B and 171-C of Indian Penal Code (IPC) clearly disallow attempts of bribery and undue influence on any person or voter and whoever commits offence of bribery is punishable under Section 171-E of IPC and whoever commits the offence of undue influence or impersonation at an election is punishable under Section 171-F of IPC.

And whereas, I am satisfied that the circumstances do not permit the serving, in due time, of the notices individually upon the persons against whom this order is directed and therefore, under the powers vested in me under sub-section (2) of Section 144 of the Code of Criminal Procedure, 1973, I hereby pass the order ex-parte.

Now therefore, I, Ajit Roy, IAS, District Magistrate and District Election Officer, South Goa District, Margao, in exercise of the powers vested in me under sub-section (1) of Section 144 of the Code of Criminal Procedure, 1973, do hereby issue following Prohibitory orders valid from 06.00 a.m. to 07.00 p.m. on the day of poll on 23-04-2019;

1. That all restaurants, bars, eateries, tea shops, pan shops and other food joints, gaddas etc. situated in urban areas of Municipal jurisdiction within 100 mtrs. of the polling station shall remain closed at aforesaid date and time.
2. That all restaurants, bars, tea shops, pan shops, eateries and other food shops/joints (dhabas, gaddas) etc., situated in rural areas of Village Panchayat jurisdiction within 200 mtrs. of the polling station shall remain closed at aforesaid date and time.
3. Ban any gathering or crowd comprising of more than 5 persons within 200 meters of any polling stations in the entire South Goa District.

I further direct that the above restrictions shall not apply to public servants on duty and to bonafide marriage or funeral processions or religious processions/functions. Also, the above order shall not apply to Officers authorized on Election duty by the District Election Officer, South Goa District or the State Government including the Polling Officials, Magistrates, Police Officials and Government Staff.

Failure to comply with this order shall be liable for penal action under Section 188 of Indian Penal Code and other relevant provisions of law in force.

Given under my hand and seal of this office, on this 17th day of April, 2019.

Ajit Roy, IAS,  
District Magistrate &  
District Election Officer,  
South Goa District.

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